

REMARKS

Claims 1-23 were presented for examination. Claims 1-6, 8, 9 and 12-23 are rejected. Claims 7, 10, and 11 are objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim. In the current amendment, claims 1, 2, 3, 7, 8, 11, 14, 16, 17, 18, 19, 20 and 21 have been amended, claims 22 and 23 canceled and claims 24 and 25 added. No new matter has been introduced. Upon entry of the current amendment, claims 1-21 and 24-25 will be pending in this application, of which claims 1, 16 and 21 are independent. Applicants submit that pending claims 1-21 and 24-25 are in condition for allowance.

The following comments address all stated grounds of rejection. Applicants urge the Examiner to pass the claims to allowance in view of the remarks set forth below.

Information Disclosure Statements

The Examiner indicates that the Information Disclosure Statement (IDS) of April 18, 2005, has been fully considered except for items B10, B13, C4 C5, C11, C13, C18, C19 and C20 listed in the Form 1449. The Examiner indicates item C11 is illegible, and that items B10, B13, C4 C5, C11, C13, C18, C19 and C20 have not been found in the file wrapper of the instant application or of its parent application. The Examiner indicates that reference is made to U.S. Patent No. 5,515,111 in the IDS but not listed in the Form 1449, and therefore, was not considered by the Examiner. The Examiner is correct in noting that on page 2 of the IDS the reference to U.S. patent application no. 10/706,117 was intended to refer to U.S. patent application no. 09/706,117.

Applicants are separately and concurrently submitting a First Supplemental Information Disclosure Statement today. Applicants include in the First Supplemental

Information Disclosure Statement copies of documents for items B10, B13, C4 C5, C11, C13, C18, C19 and C20, and have listed U.S. Patent No. 5,515,11 in the Form 1449.

Objection to the Abstract

The Examiner objects to the abstract of the disclosure because it is not a single paragraph. Applicants hereby amend the abstract of the specification to address this objection. Accordingly, Applicants respectfully request the Examiner to withdraw the objection to the Abstract.

Claim Objections

The Examiner objects to claims 7 for not having proper antecedent basis for the claimed subject matter in the specification under 37 CFR 1.75(d)(1). Claims 10 and 11 are objected to because they depend from objected claim 7. Claim 7 has hereby been amended. The Examiner also objects to claim 16 because of informalities. Claim 16 has been amended to address the informalities. No new matter has been introduced. Accordingly, Applicants respectfully request the Examiner to withdraw the Examiner's objections to claims 7, 10, 11 and 16.

Claim Rejections Under 35 U.S.C. §112

I. Claims 5, 12 and 14 Rejected Under 35 U.S.C. §112

Claims 5, 12 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention. Claims 5, 12 and 14 are hereby amended. Applicant respectfully traverses this rejection and submits that claims 5, 12 and 14, as amended, particularly points out and distinctly claims the invention.

Claim Rejections Under 35 U.S.C. §102**II. Claims 1-5, 8, 12, 16 , 21 and 22 Rejected Under 35 U.S.C §102 As Anticipated By Muftic**

Claims 1-5, 8, 12, 16 , 21 and 22 are rejected under 35 U.S.C. §102 as anticipated by U.S. Patent No. 5,745,574 to Muftic. (“Muftic”). Claims 1, 16 and 21 are independent claims. Claims 2-5, 8 and 12 depend on and incorporate the patentable subject matter of independent claim 21, as amended. Claims 22 has been canceled, thereby mooted this rejection with respect to this claim. Applicants respectfully traverse this rejection and submit that Muftic fails to disclose each and every element recited in claims 1-5, 8, 12, 16 , 21 and 22, as amended.

A. Amended Independent Claims 1, 16 and 21 Patentably Distinguished Over Muftic

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Independent claims 1, 16 and 21 are directed towards a method, system and system claim respectively. These claims recite a first computer transmitting a first encrypted message to a second computer over a first communication channel. The first encrypted message includes a first authentication number encrypted with a second authentication number. A verifier transmits a second message to the second computer over a second communication channel. The second message includes a second authentication number used to decrypt the first encrypted message. The first computer receives from the second computer a third encrypted message over the first communication channel. The third encrypted message includes the second authentication number encrypted with the first authentication number. The first computer determines the second authentication number of the third encrypted message is the same as the second authentication number used to encrypt the first encrypted message.

Muftic does not disclose a first computer transmitting to a second computer a first encrypted message comprising a first authentication number encrypted with a second authentication number, and the first computer receiving from the second computer a third encrypted message comprising the second authentication number transmitted via a second message from a verifier and encrypted with the first authentication number. Rather, Muftic is directed towards a method for requesting and issuing a public key certificate in a certification system. Muftic issues a request to a certification authority for certification of a certificate the certificate is validated or not validated based, and a reply is sent to the requestor. If the certificate is validated, the reply includes a signed certificate. Muftic does not describe any of the encrypted message transactions recited in the claimed invention. Muftic merely describes a system for certification of certificates. Thus, Muftic fails to disclose each and every feature of the claimed invention.

Because Muftic fails to disclose each and every element of the claimed invention, Applicants respectfully request the Examiner reconsider and withdraw the Examiner's rejection of claims 1, 16 and 21 under 35 U.S.C. §102. Claims 2-5, 8 and 12 depend on and incorporate the patentable subject matter of independent claim 1. Thus, claims 2-5, 8 and 12 are not anticipated by Muftic. Accordingly, Applicants also respectfully request the Examiner reconsider and withdraw the Examiner's rejection of claims 1-5, 8, 12, 16, 21 and 22 under 35 U.S.C. §102.

Claim Rejections Under 35 U.S.C. §103

III. Claims 6, 9, 13-15, 17-20 and 23 Rejected Under 35 U.S.C §103 As Unpatentable over Muftic

Claims 6, 9, 13-15, 17-20 and 23 were rejected under 35 U.S.C. §103 as unpatentable over Muftic. Claim 23 has been canceled, thereby mooting this rejection with respect to this

claim. Applicants respectfully traverse this rejection and submit that Muftic fails to teach or suggest each and every element recited in claims 6, 9, 13-15, and 17-20.

Muftic does not anticipate independent claims 1 and 16 for the reasons discussed above in connection with the claim rejections under 35 U.S.C. §102. Claims 6, 9, 13 and 15 depend on and incorporate the patentable subject matter of independent claim 1, as amended. Claims 17-20 depend on and incorporate the patentable subject matter of independent claim 16, as amended. Thus, claims 6, 9, 13-15, and 17-20 are also not anticipated by Muftic.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As discussed above in connection with the rejection of independent claims 1, 16 and 21, Muftic does not disclose the encrypted message transactions recited in the claimed invention. Nor does Muftic teach or suggest any of these encrypted message transactions. Instead, Muftic is directed towards a method of requesting to certify a certificate. Therefore, Muftic fails to teach or suggest each and every feature of the claimed invention.

Because Muftic fails to disclose, teach, or suggest each and every feature of the claimed invention, Applicants submit that claims 6, 9, 13-15, and 17-20 are patentable and in condition for allowance. Therefore, Applicants request the Examiner to reconsider and withdraw the Examiner's rejection of claims 6, 9, 13-15, 17-20 and 23 under 35 U.S.C. §103.

CONCLUSION

In light of the aforementioned amendments and arguments, Applicants contend that each of the Examiners rejections has been adequately addressed and all of the pending claims are in condition for allowance. Accordingly, Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of all of the pending claims.

Should the Examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the Examiner is urged to contact the Applicants' attorney at the telephone number identified below.

Respectfully submitted,

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